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July 8, 2008

Via: E-file & Serve
The Honorable Gregory M. Sleet
United States District Court
844 North King Street
Lock Box 31
Wilmington, DE 19801

Re: Riley v. CMS
Our File No: 13252-00167
C.A. No: 06-001 (GMS)

Dear Judge Sleet:

In response to plaintiff's correspondence of June 11, 2008, D.I. 104, I write to advise Your Honor that defendants, Correctional Medical Services, Inc. and Christine Malaney, have provided sufficient responses to plaintiff's discovery requests.

On January 29, 2007, plaintiff filed Request for Production of Documents directed to defendants. (D.I. 60). On October 18, 2007, plaintiff propounded Interrogatories and Request for Production of Documents directed to defendants. (D.I. 76; D.I. 77). On October 31, 2007, defendants propounded Interrogatories and Request for Production of Documents to plaintiff. (D.I. 79). Defendants responded to plaintiff's discovery requests on November 15, 2007. (D.I. 80; D.I. 81; and D.I. 82). Plaintiff again propounded Request for Production of Documents to Defendants on March 24, 2008. (D.I. 100).

Contrary to plaintiff's assertions, defendants have not "willfully defaulted on all discovery responses in connection with plaintiff's requests for production of documents." (D.I. 104). Defendants have provided sufficient responses to plaintiff's discovery requests. Specifically, on November 15, 2007, defendants filed Answers to Plaintiff's First Set of Interrogatories, D.I. 80, Responses to Plaintiff's Request for Production of Documents dated January 21, 2007, D.I. 81, and Responses to Plaintiff's Request for Production of Documents dated October 15, 2007, D.I. 82. All medical records in possession of defendants were attached under seal. D.I. 82.

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On June 19, 2008, defendants filed a Response to Plaintiff's Motion to Amend the Scheduling Order. D.I. 102. In that Response, defendants recognized that as evidenced by plaintiff's letter to the Court dated June 11, 2008, D.I. 104, there had been some recent developments with respect to plaintiff's medical treatment at issue in this case. CMS agreed to obtain and provide the updated medical records upon receipt of same.

On July 8, 2008, defendants filed Responses to Plaintiff's Request for Production (#3) dated March 20, 2008. Defendants filed the updated requested medical records under seal. Defendants' discovery requests to plaintiff must still be answered. As evidenced, defendants have properly and adequately responded to plaintiff's discovery requests.

On behalf of Correctional Medical Services, Inc., I thank Your Honor for your attention and consideration of this matter.

Very truly yours,

/s/ Kevin J. Connors

Kevin J. Connors

/kam

cc: Ophelia Michelle Waters, Esquire (via E-File and Serve)
James W. Riley (via U.S. Mail)